

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NUMBER 27-2012

**BEING A BY-LAW TO RESTRICT HEAVY TRUCKS
ON TOWNSHIP HIGHWAYS**

WHEREAS the Municipal Act Chapter M.45, as amended, provides for passing of by-laws for regulating traffic on highways.

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it expedient to restrict heavy trucks on Township highways,

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF MELANCTHON HEREBY ENACTS AS FOLLOWS:

1. **Definitions:**

- 1.1 "Heavy Truck" means a commercial motor vehicle or motor vehicle combination having a registered gross weight of 11,000 kg or more, or a manufacturer's gross vehicle weight of 11,000 kg or more. For the purposes of this by-law, the commercial motor vehicle or motor vehicle combination may be loaded or empty.
- 1.2 "Highway" includes a common and public highway or street, which is intended for or used by the general public for passage of vehicles and includes the area between the lateral property lines thereof.

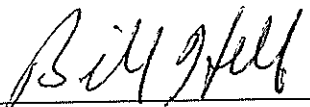
2. **Heavy Truck Restrictions:**

- 2.1 Except as provided in Subsections 2.2, 2.3 and 2.4 of this section when authorized signs (as regulated under the Highway Traffic Act) to that effect are erected, no person shall move, drive, park or operate a heavy truck, on the highways set out in Schedule "A".
- 2.2 Subsection 2.1 of this By-law shall not apply to any vehicle actually engaged in making a delivery to or a collection from premises which cannot be reached except by way of a highway or a portion of highway referred to in the said section, provided that in making such a delivery or collection, the said highway or portion of highway is travelled only insofar as is unavoidable in getting to and from such premises.
- 2.3 Subsection 2.1 of this section shall not apply to any vehicle actually engaged in leaving from or returning to the said vehicles owner's and/or operator's principal residence provided that in so leaving from or returning to their principal residence, the said portion of highway that is used is travelled insofar as is unavoidable in getting to and from such premises and provided such storage of their vehicle is permitted under the Township's Zoning By-law and provided that the truck is not loaded.
- 2.4 Subsection 2.1 of this section does not apply to:
- a) vehicles operated or on behalf of a municipality or other authority having jurisdiction and control of a highway, where the vehicles are engaged in highway maintenance, including the carriage and application of abrasives or chemicals to the highway, the stockpiling of abrasives or chemicals for use on a highway, or the removal of snow from a highway
 - b) vehicles used exclusively for the transportation of milk
 - c) fire apparatus
 - d) vehicles operated by or on behalf of Municipality transporting waste or recycling material

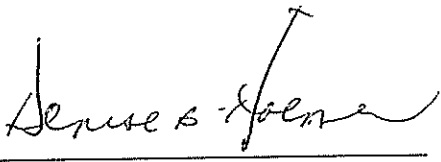
- e) public utility emergency vehicle
 - f) vehicles used exclusively for the transportation of livestock, feed, live poultry, agricultural trucks hauling produce, fertilizer and grains
 - g) vehicles used exclusively for the transportation of liquid or gaseous heating fuel
 - h) a person operating under an exception permit issued by the Township of Melancthon.
3. Notwithstanding the foregoing, the roads outlined in Schedule A will still be covered by axle restrictions (half loads) from March 1st - May 31st in each year.
 4. This by-law shall not become effective until the portion of the highways affected are properly signed.
 5. Enforcement of the signage associated with this By-law shall be pursuant to the applicable sections and regulations under the Ontario Highway Traffic Act. At the passing of this By-law, the contravention of the "No Heavy Truck" signage is enforced under Section 182.2 of the Ontario Highway Traffic Act and the erection of said signage is regulated under Regulation 615 of the Ontario Highway Traffic Act. Fine structure shall be that approved under the provisions of the Provincial Offences Act of Ontario, as set from time to time and the out of court settlements, also set by the Provincial Offences Court from time to time will apply to Part I Provincial Offences Tickets.

By-law read a first and second time this 19th Day of July, 2012 -

By-law read a third time and passed this 19th Day of July, 2012 -



Mayor



Clerk

SCHEDULE "A" TO BY-LAW NO. 27-2012

<u>ROAD</u>	<u>FROM</u>	<u>TO</u>	<u>WHEN PROHIBITED</u>
4 th Line O.S.	Strada Pit	15 Sideroad	Anytime
15 Sideroad	3 rd Line O.S.	County Road 124	Anytime
3 rd Line O.S.	Highway 10	County Road 21	Anytime
4 th Line O.S.	Highway 10	Highway 89	Anytime
4 th Line O.S.	Highway 10	County Road 17	Anytime
5 th Line O.S.	15 Sideroad	County Road 21	Anytime
4 th Line N.E.	County Road 9	County Road 21	Anytime
2 nd Line S.W.	Highway 89	Melancthon/ Southgate Boundary	Anytime
7 th Line SW	Highway 89	260 Sideroad	Anytime
260 Sideroad	Highway 10	7 th Line SW	Anytime
Main Street Horning's Mills	County Road 124	County Road 124	Anytime
5 Sideroad	Highway 10	Mulmur - Melancthon Townline	Anytime